

IN THE UNITED STATES DISTRICT FOR
THE SOUTHERN DISTRICT OF OHIO
DAYTON DIVISION

**JOSHUA ROBERTS and
DEBORAH CHONG, individually
and on behalf of N.R., their Minor
Child,**

Plaintiffs

vs.

UNITED STATES OF AMERICA,

Defendant

NO. 3:19-CV-00202-TMR

ORDER APPROVING SETTLEMENT

The Court has under consideration the Plaintiffs' Unopposed Motion to Approve Settlement seeking Court approval as to the reasonableness of the proposed settlement between the United States of America and Plaintiffs where Plaintiff N.R., a minor, is a party. The complete and precise terms and conditions of the settlement are set forth in the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant To 28 U.S.C. § 2677 (hereinafter "Stipulation"). The Court has reviewed the pleadings, the Stipulation, and the report of the Court-appointed Guardian ad Litem, the Court is fully informed of the specifics of the full and final terms and conditions of the settlement, including that the settlement is subject to approval by the Attorney General or his designee and funding. The Court finds that the terms and conditions of this settlement, as set forth in the

Stipulation, are fair, reasonable, and in the best interests of N.R., a minor. Accordingly, the court GRANTS the motion.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the settlement is hereby approved. IT IS FURTHER ORDERED that Deborah Chong, N.R.'s mother and natural guardian, is authorized to sign the Stipulation and any other documents that are necessary to consummate this settlement on behalf of N.R., a minor. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the settlement amount shall be distributed according to the terms and conditions of the Stipulation. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that attorney's fees in this action shall not exceed twenty-five percent (25%) of the Settlement Amount. The Court finds that the costs and expenses associated with the litigation are fair, reasonable, and necessary. Accordingly, IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said fees of Plaintiffs' attorney, costs, and expenses are hereby approved and shall be paid from the settlement amount.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiffs, upon final execution of the Stipulation and upon receiving wire funding of the settlement proceeds, shall cause their attorney to file with this Court a dismissal of this action in its entirety with prejudice, with each party bearing its own costs, expenses, and fees.

It is so ORDERED.

SIGNED on this 1st day of April, 2021.

s/Thomas M. Rose

HON. JUDGE THOMAS M. ROSE